

KAMALA D. HARRIS, State Bar No. 146672  
Attorney General of California  
JOEL A. DAVIS, State Bar No. 109290  
Supervising Deputy Attorney General  
MOLLY S. MURPHY, State Bar No. 149907  
Deputy Attorney General  
300 South Spring Street, Suite 1702  
Los Angeles, CA 90013  
Telephone: (213) 897-6024  
Fax: (213) 897-2810  
E-mail: Molly.Murphy@doj.ca.gov  
*Attorneys for Defendants Dr. John Welty, Dr. Paul  
Oliaro, Dr. Carolyn Coon, Dr. Victor Torres, Dr.  
Maria Lopes, Dr. Luz Gonzalez and Dr. Matthew  
Jendian*

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

**NEIL O'BRIEN, AN INDIVIDUAL,**

Plaintiff,

**v.**

**DR. JOHN WELTY, DR. PAUL M.  
OLIARO, DR. CAROLYN V. COON, DR.  
VICTOR M. TORRES, DR. MARIA  
LOPES, DR. LUZ GONZALEZ, DR.  
MATTHEW JENDIAN, ALL IN THEIR  
PERSONAL CAPACITIES AND DOES 1  
THROUGH 25, INCLUSIVE,**

Defendants.

1:12-cv-02017-AWI-SAB

**STIPULATION TO CHANGE  
SCHEDULING CONFERENCE DATE;  
[PROPOSED] ORDER**

Current Date: February 19, 2013  
Time: 9:15 a.m.  
Courtroom: 9  
Judge: Hon. Magistrate Stanley A. Boone

Proposed New Date: April 16, 2013  
Time: 2:00 p.m.  
Courtroom: 9  
Judge: Hon. Magistrate Stanley A. Boone  
Trial Date: None  
Action Filed: November 14, 2012

Plaintiff Neil O'Brien, by and through his counsel of record, and defendants Dr. John  
Welty, Dr. Paul Oliaro, Dr. Carolyn Coon, Dr. Victor Torres, Dr. Maria Lopes, Dr. Luz Gonzalez  
and Dr. Matthew Jendian, by and through their counsel of record, hereby stipulate:

**RECITAL**

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2       1.     A scheduling conference is set in this action before the Honorable Magistrate Stanley  
3 A. Boone on February 19, 2013 at 9:15 a.m. in Courtroom 9 of this Court.

4       2.     The defendants filed a motion to dismiss, which is set to be heard on March 4, 2013  
5 by the Honorable Anthony W. Ishii. The motion seeks the dismissal of all causes of action and  
6 all defendants.  
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8       3.     In the interest of efficiency for the Court and the parties, the parties stipulate to  
9 postpone the scheduling conference in this action until April 16, 2013 at 2:00 pm, after the  
10 hearing on the motion to dismiss. If the motion is granted in its entirety, the scheduling  
11 conference need not occur. If the scheduling conference proceeds, then the parties shall file their  
12 scheduling conference report one week prior to the scheduled meeting pursuant to the original  
13 order of this court.  
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27                   **STIPULATION**  
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1 The parties stipulate to changing the date of the scheduling conference in this action from  
2 February 19, 2013 to April 16, 2013 at 2:00 pm. A joint scheduling report shall be due on April  
3 9, 2013.  
4

5 Date: January 28, 2013

6 /s/ Brian C. Leighton  
7 BRIAN C. LEIGHTON, counsel for  
8 plaintiff Neil O'Brien

9 Date: January 28, 2013

10 KAMALA D. HARRIS  
11 Attorney General of the State of California  
12 JOEL DAVIS  
13 Supervising Deputy Attorney General  
14 MOLLY S. MURPHY  
15 Deputy Attorney General

16 /s/ Molly S. Murphy  
17 MOLLY S. MURPHY, counsel for  
18 Defendants Dr. John Welty, Dr. Paul  
19 Oliaro, Dr. Carolyn Coon, Dr. Victor  
20 Torres, Dr. Maria Lopes, Dr. Luz Gonzalez  
21 and Dr. Matthew Jendian

22 IT IS SO ORDERED. THE SCHEDULING CONFERENCE IS SET FOR APRIL 16,  
23 2013 AT 2:00 p.m. IN COURTROOM 9 OF THIS COURT. A joint scheduling report shall be  
24 due on April 9, 2013.

25 Dated: \_\_\_\_\_

26 \_\_\_\_\_  
27 UNITED STATES MAGISTRATE JUDGE

28 IT IS SO ORDERED.

Dated: January 31, 2013

/s/ Stanley A. Boone  
UNITED STATES MAGISTRATE JUDGE

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